

EXHIBIT 2

Re: Voorhees v Davis; Yavapai County Superior Court Case #P1300CV202100396

Daniel Warner <Dan@rmwarnerlaw.com>

Tue 6/1/2021 4:38 PM

To: Patrick Davis <accelerate212@gmail.com>

Cc: Davis, Audrey E. <DAVISA89@my.erau.edu>; Anne Griffith <Anne@rmwarnerlaw.com>

Bcc: Rhondie Voorhees <rhondiev@gmail.com>

Mr. Davis,

To be clear, you did not speak with my client about Audrey. Again, Dr. Voorhees was never involved in her Title IX investigation.

Moreover, Audrey has not complied with all of Dr. Voorhees requests. Selectively choosing bits and pieces of a request is far from compliance. Audrey has not fully complied with one request.

To date, Audrey has yet to take responsibility for her conduct in a meaningful way. Dr. Voorhees has given her countless chances to resolve this matter, but she continues to make things worse for herself each time. Recently, instead of simply emailing the retraction language that was approved, she took it upon herself to alter the language and negate the purpose of the retraction. Also, she did not include any faculty in the apology/retraction (they have a "name@erau.edu" email address rather than "name@my.erau.edu" for students), even though she included 5 faculty members in the initial email with the petition.

Additionally, there were 74 people on the original list, and there are only 51 on the new email (not including me). Shockingly, however, there are only 2 student (Geoffrey Huse and Margaret Nicoli) who are on both emails. The other 49 people on the new apology/retraction are completely new ERAU students, who never received the first email with the subject line, "Petition to get Dean of Students Rhondie Voorhees to resign." As a result, Audrey has committed another act of defamation.

Similarly, it should be emphasized that in her apology/retraction, she went back and altered the original email recipient list to make it look like the new list was the original list. This is extremely abhorrent and unbelievable conduct.

Audrey has consistently failed to acknowledge that she intentionally tried to destroy my client's career and livelihood through her defamatory statements. Audrey's actions are well beyond being misinformed and her continued evasiveness demonstrates this.

Audrey needs to step up and take responsibility for her conduct. She can start today by accepting service. You state that you do not have her address, but you have clearly been in contact with her and can obtain her address. Please encourage your daughter to stop playing games and accept service. I have attached the Acceptance and Waiver of Service of Process form that she can sign, date and return to me. If I do not receive this from her by 12:00 PM on Friday, June 4th, I will be filing a motion to serve her by email. If my client is forced to incur yet another unnecessary expense, any monetary settlement amount proposed in the future will be increased accordingly. In other words, each time my client spends money on litigating this case, the more money Audrey will need to pay to resolve this in the future.

It is unfortunate that Audrey did not accept my client's generous offer to settle this matter without having to pay any money. Hopefully she will not continue to make this same mistake and continue to increase the amount of debt that will result.

DANIEL R. WARNER, ESQ.

RM WARNER, PLC

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From: Patrick Davis <accelerate212@gmail.com>

Sent: Tuesday, June 1, 2021 7:05 AM

To: Anne Griffith <Anne@rmwarnerlaw.com>; Daniel Warner <Dan@rmwarnerlaw.com>

Subject: Re: Voorhees v Davis; Yavapai County Superior Court Case #P1300CV202100396

Hello Ms. Griffith and Mr. Warner,

I am surprised to learn that this is advancing to formal legal proceedings. Audrey has complied with all of Dr. Voorhees requests. She did not receive the go-ahead to send out the apology but she has done so as a matter of integrity. Audrey wishes to put this behind her. She was the victim of sexual assault on her campus and Dr. Voorhees was part of those proceedings. Audrey's investigation took over 180 days to complete and during that time she was intimidated by her assailant and was forced to go to class with him. Audrey only contacted Dr. Voorhees when her employee Liz Frost did not respond to emails, asked Audrey to be an intermediary, and a simple investigation took over half a year. I spoke with Dr. Voorhees on the phone about Audrey's Title IX investigation which is why I am surprised regarding this reaction. I hope Dr. Voorhees will instead of proceeding to court will choose to forgive Audrey and put this all behind everyone.

Audrey is currently in North Carolina at her mother's residence (Shannon & Chris Theis, Raleigh-Durham). I do not have the address but I will send it as soon as Audrey texts it to me. Audrey will not be there long because she is going to Ft. Knox for Army training the remainder of the summer. If there is any possibility of this not going to formal proceedings I would ask humbly that you and Dr. Voorhees reconsider.

Kindly,
Patrick

On Thu, May 20, 2021 at 2:45 PM Anne Griffith <Anne@rmwarnerlaw.com> wrote:
Mr. Davis,

My name is Anne Griffith and I am Dan Warner's Paralegal.

I am writing to you to ask you to provide us with Audrey's current physical address so we can serve her with the Complaint filed in the above-captioned matter.

Please note that, as to all costs associated with our attempts to locate and serve your daughter, we will be requesting the Court to include those in the Judgment we are confident we will ultimately obtain.

As such, it is in your daughter's best interests in the long run to provide us with a physical address where she can readily be served and not to avoid same.

I look forward to hearing from you soon. Thank you,

Anne E. Griffith
Paralegal
RM Warner P.L.C.
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From: Daniel Warner <Dan@rmwarnerlaw.com>
Sent: Friday, April 23, 2021 9:32 AM
To: Patrick Davis <accelerate212@gmail.com>
Cc: Anne Griffith <Anne@rmwarnerlaw.com>; Davis, Audrey E. <DAVISA89@my.erau.edu>
Subject: Re: Fw: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

I just wanted to clarify that the deadline for Monday has not changed.

Also, regardless of your decision as to how you will be moving forward, you should be aware that the proposed Email/Retraction should be sent out before Thursday, April 29 (the last day of classes). Sending the email after this date would substantially negate the impact of the email given that everyone is focused on finals, and any future settlement requirements would increase after that point accordingly.

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From: Daniel Warner <Dan@rmwarnerlaw.com>
Sent: Thursday, April 22, 2021 2:55 PM
To: Patrick Davis <accelerate212@gmail.com>
Cc: Anne Griffith <Anne@rmwarnerlaw.com>; Davis, Audrey E. <DAVISA89@my.erau.edu>
Subject: Re: Fw: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

That would be fine; however, we would need to approve the body of the email and proposed recipients before it is sent.

Also, your other proposed revisions are not acceptable.

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From: Patrick Davis <accelerate212@gmail.com>
Sent: Thursday, April 22, 2021 2:27 PM
To: Daniel Warner <Dan@rmwarnerlaw.com>
Cc: Anne Griffith <Anne@rmwarnerlaw.com>; Davis, Audrey E. <DAVISA89@my.erau.edu>
Subject: Re: Fw: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

A total of seven. Best - Patrick

On Thu, Apr 22, 2021 at 11:54 AM Daniel Warner <Dan@rmwarnerlaw.com> wrote:
How many people is she looking to exclude from the email?

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From: Patrick Davis <accelerate212@gmail.com>

Sent: Thursday, April 22, 2021 10:14 AM

To: Daniel Warner <Dan@rmwarnerlaw.com>

Cc: Anne Griffith <Anne@rmwarnerlaw.com>; Davis, Audrey E. <DAVISA89@my.erau.edu>

Subject: Re: Fw: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

Mr. Warner,

Attached is the red lined version of the agreement you sent to my daughter. If Dr. Voorhees is in agreement, we will proceed to sign and move forward. If not, then let's have another discussion.

Please share with Dr. Voorhees that Audrey did not have any ill will when she posted the petition, she felt she was standing up for herself and others to an administration that was not transparent in her sexual assault investigation and took over 180 days to close. During this time, her assaulter was in class with her, continued to harass from a distance via spreading false rumors and lies, and intimidated her on campus. Her issues were with the handling of her case by Liz Frost, a dotted-line employee of Dr. Voorhees. She is sorry for her choice of words, has regrets and removed immediately upon request as well as the social media posts. She wishes she would've handled differently and pursued according to the channels available via the school. However, her school advocates failed her at several levels. So, what is the lesson here? Again, Audrey is deeply sorry for her posted comments because she was not aware of Dr. Voorhees responsibilities, she assumed, as I did, that Dr. Voorhees was a title IX advocate and ultimately responsible for Liz Frost and the investigation into her assault. In the future, she will choose her words very carefully. Let's put this behind us, Audrey would like to. She has too much ahead of her in the future and this has become a major distraction to all involved.

Kindly,
Patrick

On Thu, Apr 22, 2021 at 10:49 AM Patrick Davis <accelerate212@gmail.com> wrote:
Mr. Warner,

My daughter is not lying and neither am I, we are a family of high character and values. Audrey had requested extra time and has been busy getting ready for finals and had a field exercise to Huachuca and a range exercise to qualify which they flew in Blackhawk helicopters. Ms. Voorhees is misinformed.

We will reply tomorrow; in our phone call Audrey said she needed a month and she has been focused on her education and ROTC responsibilities since. Audrey is a good leader, a dedicated student, and a future officer who will lead people on some of the toughest situations, I'm proud of her. What I'm not proud of, is the experience she has had at Embry Riddle that has been a distraction. She has admitted missteps and is sorry for posting the flyer with the wording chosen and has taken that and all social media down immediately. Nothing is circulating and even the school has said her actions were impetus but not defamatory. We're happy to comply as stated earlier. I understand that you have a job to do and your client is eager to move forward. We are as well.

Kindly,
Patrick

On Thu, Apr 22, 2021 at 8:36 AM Daniel Warner <Dan@rmwarnerlaw.com> wrote:
Ms. Davis:

It is very unfortunate that you continue to avoid taking responsibility for your actions. Since I've been corresponding with you, you have missed two deadlines. And now, it appears you have your father lying for you. Contrary to your father's email below, Dr. Voorhees confirmed with the Army ROTC that there have been no ROTC activities considered "field exercises" since the trip to Fort Huachuca, which was March 30 through April 2. Also, finals don't start until May 3.

You are fresh out of chances and excuses. You will be held accountable. You are now being required to pay \$5,000 to cover our client's attorneys' fees and costs. Attached you will find a revised Settlement Agreement and Retraction that has been updated accordingly. I have been directed by my client to file suit against you if I do not receive a signed copy of the Settlement Agreement and Retraction (which have been attached hereto) by no later than 8:00 am on Monday, April 26th.

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From: Patrick Davis <accelerate212@gmail.com>

Sent: Wednesday, April 21, 2021 7:43 AM

To: Daniel Warner <Dan@rmwarnerlaw.com>

Cc: Davis, Audrey E. <DAVISA89@my.erau.edu>; Anne Griffith <Anne@rmwarnerlaw.com>

Subject: Re: Fw: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

Good Morning Mr. Warner,

Audrey and I will have our response by this Friday, I apologize, it's been a very busy two weeks for the both of us between Army Field Exercises, Finals, and traveling, I am in Prescott Valley with her this week and we look forward to providing our response. Have a good afternoon.

Kindly,
Patrick

On Tue, Apr 13, 2021 at 5:20 PM Patrick Davis <accelerate212@gmail.com> wrote:

My apologies, I mistyped, I meant Monday (4/19). Thank you - Patrick

On Tue, Apr 13, 2021 at 2:10 PM Patrick Davis <accelerate212@gmail.com> wrote:

Hello Mr. Warner,

I apologize for the delay, Audrey has been on a field exercise for the ROTC at Ft. Huachuca and I have been traveling for work. When we last spoke by phone, we may not have been clear that our response would be delayed due to work/military conflicts. We have no intention of reversing what we have committed to and will return the requested documents by Monday (4/13).

Audrey took down the posts from social media prior to our last meeting and we look forward to moving forward, having learned significantly from this experience.

Kindly,
Patrick

On Tue, Apr 13, 2021 at 9:19 AM Davis, Audrey E. <DAVISA89@my.erau.edu> wrote:

From: Anne Griffith <Anne@rmwarnerlaw.com>

Sent: Thursday, April 8, 2021 5:12 PM

To: Davis, Audrey E. <DAVISA89@my.erau.edu>

Cc: Daniel Warner <Dan@rmwarnerlaw.com>

Subject: [EXTERNAL] Re: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

Ms. Davis,

Pursuant the voice mail I just left for you, please see the attached letter, with referenced enclosures, from attorney Daniel R. Warner.

Your prompt attention to this matter is required. Thank you,

Anne E. Griffith

Paralegal

RM Warner P.L.C.

[8283 North Hayden Road Ste. 229](#)

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From: Anne Griffith <Anne@rmwarnerlaw.com>

Sent: Monday, March 15, 2021 12:46 PM

To: DAVISA89@my.erau.edu.readnotify.com <DAVISA89@my.erau.edu.readnotify.com>

Cc: Daniel Warner <Dan@rmwarnerlaw.com>

Subject: DEMAND FOR RETRACTION OF DEFAMATION OF DR. RHONDIE VOORHEES

Ms. Davis,

Please see the attached letter, with referenced enclosures, from attorney Daniel R. Warner.

Anne E. Griffith

Paralegal

RM Warner P.L.C.

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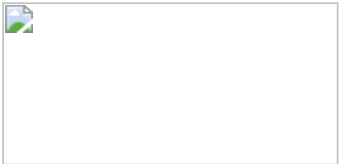


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